

AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A CRIMINAL COMPLAINT

I, Luis Gonzalez-Encarnacion, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with Homeland Security Investigations and have been since December 2023. I am currently assigned to the Immigration Crimes Group in San Juan, Puerto Rico. Prior to my appointment as a Homeland Security Investigations Special Agent, I was appointed in 2019 as a Border Patrol Agent with the United States Border Patrol. As a Homeland Security Investigations Special Agent, I have received formal and on the job training and I am authorized to investigate violations of laws of the United States and to execute and serve any order, subpoena, summons, warrant, or other process issued under the authority of the United States. I am familiar with the statutes of the United States Code, and as a federal law enforcement officer, I have participated in investigations, surveillance, interviews, interrogations, arrests, searches, seizures, administration of oaths, and in taking and considering evidence concerning the privilege of any person to enter, reenter, pass through, or reside in the United States. Based on my law enforcement experience detailed herein, as well as my training, and experience of other law enforcement officers who are participating in this investigation, serve as the basis for the conclusion set forth herein.

2. This affidavit is intended to show merely that there is sufficient probable cause for the requested criminal complaint and does not set forth all of my knowledge about this matter. I make this affidavit based on my own personal knowledge and on oral and written reports by other federal, state, and/or local law enforcement agents and officers that investigated this matter. This affidavit does not contain all the information derived from this investigation only that which is sufficient to demonstrate probable cause to believe that a crime has been committed.

3. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that violations of **8 U.S.C. 1326(a) and (b)(1) – *Reentry of removed alien subsequent to a felony conviction*** has been committed by **Felix Domingo Rosario (ROSARIO)**.

PROBABLE CAUSE

4. Homeland Security Investigations (HSI) Special Agents (SA) received information from a source of information regarding ROSARIO being illegally present in the United States. Immigration checks showed that ROSARIO is an illegal alien and not in possession of a valid unexpired immigrant visa, reentry permit, border crossing identification card, or other valid entry document.

5. On Monday, May 19, 2025, HSI observed ROSARIO driving a gold Dodge Caravan, bearing Puerto Rico license plate JTJ-44, near ROSARIO's residence at Lopez Sicardo Housing Project. HSI Special Agents (SA) proceed to conduct a vehicle traffic stop and performed an immigration examination on ROSARIO to determine his admissibility.

6. HSI SAs requested his name and identification. ROSARIO identified himself as Felix ROSARIO, stated that he is from Dominican Republic, and that he did not had any identification.

7. HSI determined that ROSARIO was not in possession of a valid unexpired immigrant visa, reentry permit, border crossing identification card, or other valid entry document, and a valid unexpired passport, or other suitable document, or document of identity and nationality to enter, pass through, or remain in the United States. HSI determined that ROSARIO is

inadmissible to the United States, and SAs arrested and transported ROSARIO to an Enforcement Removal Operations (ERO) Office in San Juan for further processing.

8. HSI SAs read ROSARIO his Miranda rights which ROSARIO waived and agreed to speak with the agents without the presence of an attorney. ROSARIO admitted to being illegally present in the United States.

9. As to ROSARIO's immigration and criminal history, record checks revealed the following:

- a. On April 22, 2019, ROSARIO was encountered by the Harford County Sheriff's Office and charged with 11 counts of identity theft, resisting arrest, and false statements. ROSARIO pleaded guilty to one count of Fraud - Identity Information Theft. On October 31, 2019, was sentenced to time served (193 days). This is a felony conviction.
 - b. On November 13, 2019, ROSARIO was found inadmissible and an Order of Removal was issued by Immigration Judge Elizabeth A. Kessler.
 - c. On February 4, 2020, ROSARIO was physically removed from the United States to the Dominican Republic.
10. ROSARIO's previous arrest record revealed the following:
- a. On January 24, 2012 he was arrested by the Sommerville, MA Police Department under the name of "Alexis Gonzalez Perez" for resisting arrest and witness intimidation. The disposition of these charges is unknown.
 - b. On February 10, 2014 he was arrested by the Rhode Island State Police for obstructing an officer in execution of duty, disorderly conduct, resisting arrest, and

possession of a weapon other than a firearm. The disposition of these charges is unknown.

- c. On June 23, 2014, he was arrested by state police in Foxboro, MA on a failure to appear warrant and unlicensed operation of a motor vehicle. The disposition of these charges is unknown.
 - d. On July 2, 2014, he was arrested in Warwick, MA for driving after denial, suspension/revocation-license. The disposition of these charges is unknown.
 - e. On May 28, 2016 he was arrested by Mendon, MA police for an arrest warrant and for failure to stop/yield. The disposition of these charges is unknown.
 - f. On March 25, 2017 he was arrested in North Kingstown, MA for shoplifting. The disposition of these charges is currently unknown.
 - g. On December 1, 2018, he was arrested as a fugitive from justice by the Rhode Island State Police.
 - h. On December 3, 2018 he was arrested by Nashua, NH police for identity fraud, fraudulent use of a credit card, and credit card fraud. The subject failed to appear and there was a warrant for his arrest from the Goffstown, NH Sherriff's Office. This warrant is only extraditable in New England states and Maine.
11. Further investigation revealed that ROSARIO has utilized different names and dates of birth (DOB) as follows:
- i. **"Alexis Gonzales Perez"** – DOB: 01/19/1981.
 - ii. **"Alexis Gonzalez Perez"** – DOB: 11/01/1979.
 - iii. **"Alexis Perez"**
 - iv. **"Felix D. Rosario"** – DOB: 01/13/1980.

12. Record checks also revealed that as of May 19, 2025, ROSARIO had not submitted an application requesting permission to enter the United States (Form I-212) before the United States Citizenship and Immigration Services (“USCIS”). Thus, ROSARIO has not obtained consent from the Secretary of Homeland Security to enter the United States, nor does he have any immigration documents allowing him to legally enter and/or remain in the United States.

13. On May 19, 2025, ROSARIO a national and citizen of the Dominican Republic, was found in the United States after been previously removed from the United States. ROSARIO was not admitted, inspected, or paroled into the United States by an immigration officer, nor did ROSARIO present himself at a designed port of entry for inspection.

CONCLUSION

14. Based on the forgoing, and based upon my training, experience and participation in this and other investigations, I believe that sufficient probable cause exists to demonstrate that ROSARIO reentered the United States after being removed in violation of **8 U.S.C. 1326(a) and (b)(1)– Reentry of removed alien subsequent to a felony conviction.**

Respectfully submitted,

LUIS O GONZALEZ-
ENCARNACION

Digitally signed by LUIS O
GONZALEZ-ENCARNACION
Date: 2025.05.20 20:27:23 -04'00'

Luis Gonzalez-Encarnacion
Special Agent
Homeland Security Investigations

Sworn pursuant to FRCP 4.1 at 9:14 a.m. by telephone, this 21st day of May, 2025.



Digitally signed by Hon.
Giselle López-Soler

GISELLE LÓPEZ-SOLER
UNITED STATES MAGISTRATE JUDGE
DISTRICT OF PUERTO RICO